

**ONTARIO
SUPERIOR COURT OF JUSTICE
(East Region)**

IN THE MATTER OF an Application by the Attorney General for Ontario for an order to vary the Restraint Order made by the Honourable Madam Justice F.E. McWatt on February 10, 2022 restraining monetary donations made through the Freedom Convoy 2022 and Adopt-a-Trucker fundraising campaign pages hosted by GiveSendGo pursuant to section 490.8 of the *Criminal Code*.

**ORDER
(Varying Restraint Order dated February 10, 2022)**

UPON THE APPLICATION made orally by the Attorney General for Ontario on March 9, 2022 for an order to vary the Restraint Order made by the Honourable Madam Justice F.E. McWatt on February 10, 2022 restraining monetary donations made through the Freedom Convoy 2022 and Adopt-a-Trucker fundraising campaign pages hosted by GiveSendGo pursuant to section 490.8 of the *Criminal Code* (the “Restraint Order”, attached to this Order as Appendix A).

AND UPON BEING ADVISED of the consent of the interested parties being the Plaintiffs and Respondents in Court File No. CV-22-00088514-OOC (the “Mareva Proceedings”), and upon hearing submissions from counsel for the Attorney General for Ontario and the Mareva Proceedings Plaintiffs and Respondents.

AND UPON BEING SATISFIED that the following Royal Bank of Canada accounts have been frozen under the terms of the Restraint Order:

- a) Account 08580-5015474
- b) Account 08580-5078449

AND UPON BEING SATISFIED that the Attorney General for Ontario has no interest under the Restraint Order in Royal Bank of Canada account 08580-5078449.

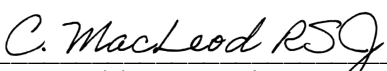
AND UPON BEING SATISFIED that on February 28, 2022, an order was made in the Mareva Proceedings appointing an Escrow Agent.

AND UPON BEING SATISFIED that on this date an order has been made in the Mareva Proceedings directing the Royal Bank of Canada to transfer all funds held in account 08580-5015474 to the Escrow Agent.

AND UPON BEING SATISFIED that a variation of the Restraint Order is required to facilitate the transfer of funds to the Escrow Agent.

1. **THIS COURT ORDERS** that Royal Bank of Canada account 08580-5078449 is not subject to the Restraint Order.
2. **THIS COURT ORDERS** that the Royal Bank of Canada transfer all funds held in account 08580-5015474 to the Escrow Agent.
3. **THIS COURT ORDERS** that subject to the terms ordered herein, the Restraint Order remains in full force and effect.
4. **THIS COURT ORDERS** that the Escrow Agent shall, upon written request of the Director of Asset Management – Criminal or his representative, provide said person with reasonable information regarding the status of the property described herein held by the Escrow Agent.
5. **THIS COURT ORDERS** that the Attorney General for Ontario shall provide 30 days' notice to the parties to the Mareva Proceedings of any disposition hearing related to the property described herein held by the Escrow Agent.

Dated at Ottawa, Ontario, this 10th day of March, 2022.



The Honourable Mr. Justice C. MacLeod

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IN THE MATTER OF an Application by the Attorney General for Ontario for an order restraining monetary donations made through the Freedom Convoy 2022 and Adopt-a-Trucker fundraising campaign pages hosted by GiveSendGo pursuant to section 490.8 of the *Criminal Code*.

RESTRAINT ORDER

UPON THE *EX PARTE* APPLICATION in writing made this day by the Attorney General for Ontario for an order pursuant to section 490.8 of the *Criminal Code*.

AND UPON READING the Notice of Application and the Affidavit of Christopher Rhone, peace officer and member of the Ottawa Police Service, accompanying the Application.

AND UPON BEING SATISFIED that there is no requirement of notice of this application as giving notice would result in the disappearance, dissipation, or reduction of value of the property sought to be restrained.

AND UPON BEING SATISFIED that pursuant to section 490.8(3.1) of the *Criminal Code*, this order may be issued in respect of property situated outside Canada.

AND UPON BEING SATISFIED that there are reasonable grounds to believe the property described below is offence-related property:

Any and all monetary donations made through the Freedom Convoy 2022 and Adopt-a-Trucker fundraising campaign pages hosted by GiveSendGo (www.givesendgo.FreedomConvoy2022, www.givesendgo.com/Warroomcanadanet, respectively), including monetary donations which have been transferred by GiveSendGo or its third-party payment processors to the benefit of the campaign recipients as named on the said campaign pages, being “Chris Garrah” and “Incorporated Freedom 2022 Human Rights and Freedom Association”, or to the company “Freedom 2022 Human Rights and Freedoms” (Canadian corporation number 1372685-1).

[the property]

1. **THIS COURT ORDERS** that all persons, including but not limited to GiveSendGo and its third party payment processors, designates and agents, Chris Garrah or designate, Freedom 2022 Human Rights and Freedoms and its directors, officers, employees or designates, and financial institutions, are prohibited from disposing of, or otherwise dealing with, in any manner whatsoever, any interest in the property, except as hereinafter provided.
2. **THIS COURT FURTHER ORDERS** that the respondents shall, upon written request of the Director of Asset Management – Criminal or his representative, provide said person with reasonable information regarding the status of the property, including but not limited to, the balance of all donations held in relation to the Freedom Convoy 2022 and Adopt-a-Truck fundraising campaigns, as described above.
3. **THIS COURT FURTHER ORDERS** that a copy of this order be served in accordance with the *Criminal Proceedings Rules* upon the following persons:
 - a. GiveSendGo LLC
 - b. Freedom 2022 Human Rights and Freedoms (Corporation Number 1372685-1)
 - c. Chris Garrah
4. **THIS COURT FURTHER ORDERS** that no variation shall be made to this order other than by order of this Court on application in accordance with the *Criminal Proceedings Rules* served on all affected parties, however, provided that counsel for the Attorney General for Ontario may, on three clear days' notice to any affected parties, apply to a Judge of this Court to vary, amend, add, or delete terms in relation to this order, or to terminate this order.
5. **THIS COURT FURTHER ORDERS** that service of any documents or notices of any application on the Attorney General for Ontario or the Director of Asset Management - Criminal shall be served at the Crown Law Office – Criminal, 720 Bay Street, 10th Floor, Toronto, Ontario, M7A 2S9.

6. **THIS COURT FURTHER ORDERS** that, as provided by subsection 490.8(8) of the *Criminal Code*, this order as it relates to the restraint of offence-related property remains in effect until:

- a) An order is made under subsection 490(9) or (11), 490.4(3) or 490.41(3) in relation to the property; or
- b) An order of forfeiture of the property is made under section 490 or subsection 490.1(1) or 490.2(2).

Dated at Ottawa, Ontario, this ____ 10 ____ day of February, 2022.



A.C.J.S.C.J.

Judge, Ontario Superior Court of Justice

TAKE NOTICE:

Section 490.8(9) of the Criminal Code provides as follows: Any person on whom a restraint made under this section is served in accordance with this section and who, while the order is in force, acts in contravention of or fails to comply with the order is guilty of an indictable offence or an offence punishable on summary conviction.

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RESTRAINT ORDER

MINISTRY OF THE ATTORNEY GENERAL

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ORDER
(Varying Restraint Order dated February 10, 2022)

MINISTRY OF THE ATTORNEY GENERAL

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